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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

REBECCA FISHER and TRAVIS FISHER,

Case No. 11-CV-3093-CL

Plaintiffs,

v.

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
("MERS")** a Delaware Corporation;

Defendants'
MOTION TO RESET PRELIMINARY
INJUNCTION HEARING

(Expedited Consideration Requested)

RECONTRUST COMPANY, N.A.
("ReconTrust") a wholly owned subsidiary of
Bank of America Corporation ("BAC") a
Delaware Corporation,

Defendants.

LR 7-1 CERTIFICATE OF CONFERRAL

On August 30, 2011, Robert E. Maloney Jr. and the undersigned conferred with Travis Fisher regarding this motion. He advises that he does not oppose a two-week extension so long as defense counsel advises him of the Court's ruling on this motion later today. Mr. Fisher advised that he has an attorney but declined to disclose his or her identity.

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MOTION

On or about August 16, 2011, this Court scheduled a preliminary injunction hearing relating to this case for August 31, 2011. Insofar as counsel is aware, defendants have not been served with notice of the scheduled proceeding. Counsel learned of the proceeding through searching the court docket in preparing for other preliminary injunction motions that are currently pending before this Court. Upon learning of the pending hearing, defendants have postponed the sale until October 2, 2011.

Because the urgency for a preliminary injunction hearing is eliminated, and defendants have not had adequate notice to file a proper appearance, defendants are requesting that this hearing be rescheduled to two weeks from August 31, 2011, which is September 14, 2011. Defense counsel does not oppose a longer extension, but plaintiffs do.

DATED: August 30, 2011

LANE POWELL PC

By _____ /s/ Pilar C. French
Pilar C. French, OSB No. 962880
Telephone: 503.778.2170
Attorneys for Defendants

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CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2011, I caused to be served a copy of the foregoing MOTION TO RESET PRELIMINARY INJUNCTION HEARING on the following person(s) in the manner indicated below at the following address(es):

Rebecca and Travis Fisher
220 Newt Gulch Road
Wilderville, OR 97543
Telephone: 541.660.4623
E-Mail: fisherwild@aol.com

Pro se plaintiffs

- by **CM/ECF**
- by **Electronic Mail**
- by **Facsimile Transmission**
- by **First Class Mail**
- by **Hand Delivery**
- by **Overnight Delivery**

/s/ Pilar C. French

Pilar C. French

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